

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

SCJ

DEC 31 2012

JAMES N. HATTEN, CLERK
BY *[Signature]*

Abdul David Howard #1264082
(Enter above the full name and prisoner
identification number of the plaintiff, GDC
number if a state prisoner.)

-vs-

1:12-CV-4494

Brian Owens, Commissioner
Georgia Department of Corrections
Sheila Oubre, Warden
(Enter above the full name of the defendant(s).)

I. Previous Lawsuits

A. Have you filed other lawsuits in federal court while incarcerated in any institution?

Yes () No (✓)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court (name the district): _____

3. Docket Number: _____

I. Previous Lawsuits (Cont'd)

4. Name of judge to whom case was assigned: _____
5. Did the previous case involve the same facts?
Yes () No ()
6. Disposition (Was the case dismissed? Was it appealed? Is it still pending?):

7. Approximate date of filing lawsuit: _____
8. Approximate date of disposition: _____

II. Exhaustion of Administrative Remedies

Pursuant to 28 U.S.C. § 1997e(a), no prisoner civil rights action shall be brought in federal court until all available administrative remedies are exhausted. Exhaustion of administrative remedies is a precondition to suit, and the prisoner plaintiff must establish that he has exhausted the entire institutional grievance procedure in order to state a claim for relief.

- A. Place of Present Confinement: Baldwin State Prison
- B. Is there a prisoner grievance procedure in this institution?
Yes (✓) No ()
- C. Did you present the facts relating to your complaint under the institution's grievance procedure?
Yes (✓) No ()
- D. If your answer is YES:
1. What steps did you take and what were the results?
File informal grievance, then formal grievance, then
appealed. All were denied.

 2. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank.)

A. Name of Plaintiff: Abdul Howard

Address(es): P.O. Box 218, Hardwick, GA 31034

(In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Do the same for each additional defendant, if any.)

B. Defendant(s): Brian Owens

Employed as Commissioner

at Georgia Department of Corrections

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I'm a Muslim and the policy of the Georgia Department of
Correction states that I have to shave my beard and this policy
keeps me from practicing my religion as it should be practiced.

IV. Statement of Claim (Cont'd)

[The content of this section is crossed out with a large diagonal line.]

V. Relief

State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

- a declaration that this policy violates my rights under the Constitution and laws of the United States.
- a preliminary and permanent injunction ordering defendant to change this policy
- grant plaintiff compensatory damages in the amount of \$5,000
- grant plaintiff punitive damages in the amount of \$5,000
- Plaintiff also seeks recovery of cost of this suit
- and any additional relief this court deems just, proper, and equitable.

I'm a Muslim and the policy of the Georgia Department of Correction States that I have to shave my beard and this Policy Keeps me from practicing my religion as it should be practiced.

Relief:

- a declaration that this policy violates my rights under the Constitution and laws of the United States
- a preliminary and permanent injunction ordering defendant to change this policy
- grant plaintiff punitive damages in the amount of \$5,000
- grant plaintiff compensatory damages in the amount of \$5,000
- plaintiff also seeks recovery of cost of this suit
- and any additional relief this court deems just, proper, and equitable

Rev 12/5/07